

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE)
PRINTING SPECIALTIES & PAPER)
PRODUCTS JOINT EMPLOYER &)
UNION HEALTH & WELFARE FUND,)

Plaintiff(s),)

v.)

THOMAS WOON, individually)
and doing business as THOMAS)
SIGN & DISPLAY,)

Defendant(s).)
_____)

No. C05-4169 BZ

**ORDER SCHEDULING HEARING ON
PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT**

TO ALL PARTIES AND COUNSEL OF RECORD:

IT IS HEREBY ORDERED that pursuant to the Court's discretion under Rule 55(b)(2) of the Federal Civil Rules of Civil Procedure, a hearing on plaintiff's motion for default judgment is set for **Wednesday, May 3, 2006, at 10:00 a.m.** in Courtroom G, 15th Floor, Federal Building, San Francisco, California, 94102.

Claims for attorneys' fees should be supported by billing records. Compliance with 50 App. U.S.C. § 501 et seq. of the Servicemembers' Civil Relief Act may not be satisfied on

1 information and belief. See 50 App. U.S.C. § 521(b)(1);
2 United States v. Simmons, 508 F.Supp. 552 (E.D. Tenn.
3 1980)(interpreting 50 App. U.S.C. § 520(1), predecessor to 50
4 App. U.S.C. § 521(b)(1)). The public website
5 <https://www.dmdc.osd.mil/scra/owa/home> will provide the
6 current active military status of an individual and has
7 instructions on obtaining certificates of service or non-
8 service under the Servicemembers' Civil Relief Act.

9 Plaintiff should be prepared to prove their damages by
10 competent testimony or other admissible evidence. If
11 plaintiff intends to prove damages by affidavits or
12 declarations, the affiant or declarant should have personal
13 knowledge of all matters to which she testifies. For all
14 evidence, proper foundations must be established. For an
15 explanation of the evidentiary requirements for proving
16 damages in a default case, the parties are encouraged to
17 consult Chapter Six of Civil Procedure Before Trial by William
18 W. Schwarzer, A. Wallace Tashima, and James M. Wagstaffe.

19 Defendant should attend the hearing if he contests the
20 validity or amount of plaintiff's claim. Seven days before
21 the hearing, on **Wednesday, April 26, 2006**, plaintiff shall
22 file a declaration setting forth in detail all steps taken to
23 serve defendant with notice of this hearing.

24 Dated: March 16, 2006

25 
26 Bernard Zimmerman

27 United States Magistrate Judge
28

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